## AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111 Serial Number: 09/648919

Filing Date: August 25, 2000

Title: ELECTROSTATIC DISCHARGE PROTECTION DEVICE

## **REMARKS**

Applicant has carefully reviewed and considered the Office Action mailed on <u>February 10, 2003</u>, and the references cited therewith.

Claims 1-29 and 33-35 are now pending in this application.

## \$103 Rejection of the Claims

Claims 1-4, 6, 7, 13, 17-22, and 27 were rejected under 35 USC § 103(a) as being unpatentable over Shimizu et al. (U.S. Patent No. 5,949,109).

Independent claims 1, 6, 7, 13, 17, and 27 recite, among other elements, a substrate, a bonding pad, and a power node in which "only one path" exists between the bonding pad and the power node through the substrate.

Shimizu et al. disclose a different structure with a different operation. FIG. 1 of Shimizu et al. show a substrate 21, a bonding pad 25, and a power node Vss connected to regions 23 and 24. FIG. 2 of Shimizu et al. is a schematic representation of FIG.1 including bonding pad 25 and power node Vss. In these figures, there exits two different paths between bonding pad 25 and power node Vss through substrate 21. As shown in FIG. 1 of Shimizu et al., the two different paths include: a path exists between bonding pad 25 and power node Vss through substrate 21 and region 23, and another path exists between bonding pad 25 and power node Vss through substrate 21 and region 24. In the text (column 1, lines 47-54), Shimizu et al. describe the operation of the circuit of FIG. 1 in which current flows from bonding pad 25 to region 23 and also to region 24.

Based on the reasons explained above, Shimizu et al. do not disclose a substrate, a bonding pad, and a power node in which "only one path" exists between the bonding pad and the power node through the substrate. Thus, claims 1, 6, 7, 13, 17, and 27 are patentable over Shimizu et al. Therefore, Applicant respectfully requests that the rejection of these claims be reconsidered and withdrawn and that these claims and their dependent claims be allowed.

Claim 5 was rejected under 35 USC § 103(a) as being unpatentable over Shimizu et al. as applied to claims 1-4, 6, 7, 13, 17-22, and 27 above, and further in view of Yu et al. (U.S. Patent No. 5,889,309).

Dependent claim 5 depends from claim 1. Shimizu et al. does not disclose all of the elements of claim 1 as explained above. Yu et al. also do not disclose a substrate, a bonding pad, and a power node in which "only one path" exists between the bonding pad and the power node through the substrate. Thus, claim 1 is patentable over Shimizu et al. and Yu et al. Since claim 5 depends from claim 1, claim 5 is also patentable over Shimizu et al. and Yu et al. because it depends from a patentable claim. Thus, Applicant respectfully requests that the rejection of claim 5 be reconsidered and withdrawn and that claim 5 be allowed.

Claims 23-26 and 28 were rejected under 35 USC § 103(a) as being unpatentable over Shimizu et al. as applied to claims 1-4, 6, 7, 13, 17-22, and 27 above, and further in view of Maekawa (U.S. Patent No. 6,163,056).

Independent claims 23 and 28 recite elements similar to the elements of claims 1, 6, 7, 13, 17, and 27. Based on the reasons explained above, Shimizu et al. do not disclose a substrate, a bonding pad, and a power node in which "only one path" exists between the bonding pad and the power node through the substrate. Maekawa also does not disclose a substrate, a bonding pad, and a power node in which "only one path" exists between the bonding pad and the power node through the substrate. Thus, claims 23 and 28 are patentable over Shimizu et al. and Maekawa. Therefore, Applicant requests that the rejection of claims 23 and 28 be reconsidered and withdrawn and that these claims and their dependent claims be allowed.

Claims 29 and 33-35 were rejected under 35 USC § 103(a) as being unpatentable over Shimizu et al. as applied to claims 1-4, 6, 7, 13, 17-22, and 27 above, and further in view of Lin (U.S. Patent No. 6,246,122).

Independent claims 29 and 33-35 recite elements similar to the elements of claims 1, 6, 7, 13, 17, and 27. Based on the reasons explained above, Shimizu et al. do not disclose a substrate, a bonding pad, and a power node in which "only one path" exists between the bonding pad and the power node through the substrate. Lin also does not disclose a substrate, a bonding pad, and a power node in which "only one path" exists between the bonding pad and the power node through the substrate. Thus, claims 29 and 33-35 are patentable over Shimizu et al. and Lin. Therefore, Applicant requests that the rejection of claims 29 and 33-35 be reconsidered and withdrawn and that these claims and their dependent claims be allowed.

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## **CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (612) 373-6969 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, P.O.Box 1450, Alexandria, VA 22313-1450, on this 12\_day of May, 2003.

Gina M. Uphus

Name

Signature